

REQUEST FOR PROPOSALS

SR 273 Multimodal Corridor Plan

SRTA Solicitation Number: S-00007

Issued:	January 24, 2022
Contract Capacity:	Estimated budget of \$870,000
Performance Period:	Project to be completed by May 30, 2024.
Payment Method:	Cost reimbursement
Submissions Due:	3:00 p.m. PDT on March 14, 2022
Contact Person:	Michael Kuker, Associate Transportation Planner

Interested applicants must [subscribe](#) to SRTA's bid posting webpage to receive notices when information and possible RFP addenda become available.

Shasta Regional Transportation Agency
1255 East Street, Suite 202
Redding, CA 96001
(530) 262-6190



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Procurement Summary

SRTA seeks proposals from qualified consultants to prepare the SR 273 Multimodal Corridor Plan, a comprehensive multimodal corridor plan for the 16.2-mile State Route 273 (SR 273) corridor. The route, one of the region's most significant and most challenging, is overdue for a comprehensive evaluation to identify future improvement that align with current and future land uses and the needs of residents, businesses, and travelers.

SR 273 goes near or through multiple jurisdictions (Shasta County, the cities of Anderson and Redding, and Redding Rancheria) and includes an undercrossing of the Union Pacific Railroad. In addition to serving regional and interregional travel, the corridor also serves as the Main Street for the cities of Anderson and Redding. It is anticipated the planning effort will require a great deal of stakeholder engagement that the consultant will be expected to assist with.

This project is funded by a Sustainable Transportation Planning Grant (Strategic Partnerships) and a State Planning and Research (SPR) grant. The estimated contract award budget is \$870,000. Work on the SR 273 Multimodal Corridor Plan is expected to be complete by May 2024.

About The Shasta Regional Transportation Agency (SRTA)

2022 SRTA Board of Directors

Board Member	Affiliation
Greg Watkins, Chair	City of Shasta Lake
Baron Browning, Vice Chair	City of Anderson
Joe Chimenti	Shasta County, District 1
Mark Mezzano	City of Redding and Redding Area Bus Authority
Leonard Moty	Shasta County, District 2
Mary Rickert	Shasta County, District 3
Kristen Schreder	City of Redding

Shasta Regional Transportation Agency (SRTA) is the designated Metropolitan Planning Organization (MPO) for the Shasta County region. Member agencies are the cities of Anderson, Redding, and Shasta Lake; the county of Shasta; and the Redding Area Bus Authority (RABA). Information regarding SRTA, regional plans and programs, and this procurement are available online at www.srta.ca.gov.

About the Shasta Region

Shasta County is located at the geographic center and transportation crossroads of California's North State. The nearest large city is Sacramento, 150 miles to the south on the Interstate 5 corridor, while the Oregon state line lies 100 miles due north. The county occupies the northern part of the Sacramento Valley and includes southern portions of the Cascade Mountains. The county has an area of 3,785 square miles. Shasta County has an urbanized area which contains the cities of Anderson, Redding, and Shasta Lake. The county is home to approximately 182,000 residents, about 80% of which live in the south-central urbanized area along I-5. Redding is the county seat and the region's primary socio-economic center.

The region is largely rural in character and geographically separated from other California metropolitan regions. Its population is one of the most dispersed in the state, having just 48 persons per square mile compared to the statewide average of 253.

Agency Partners

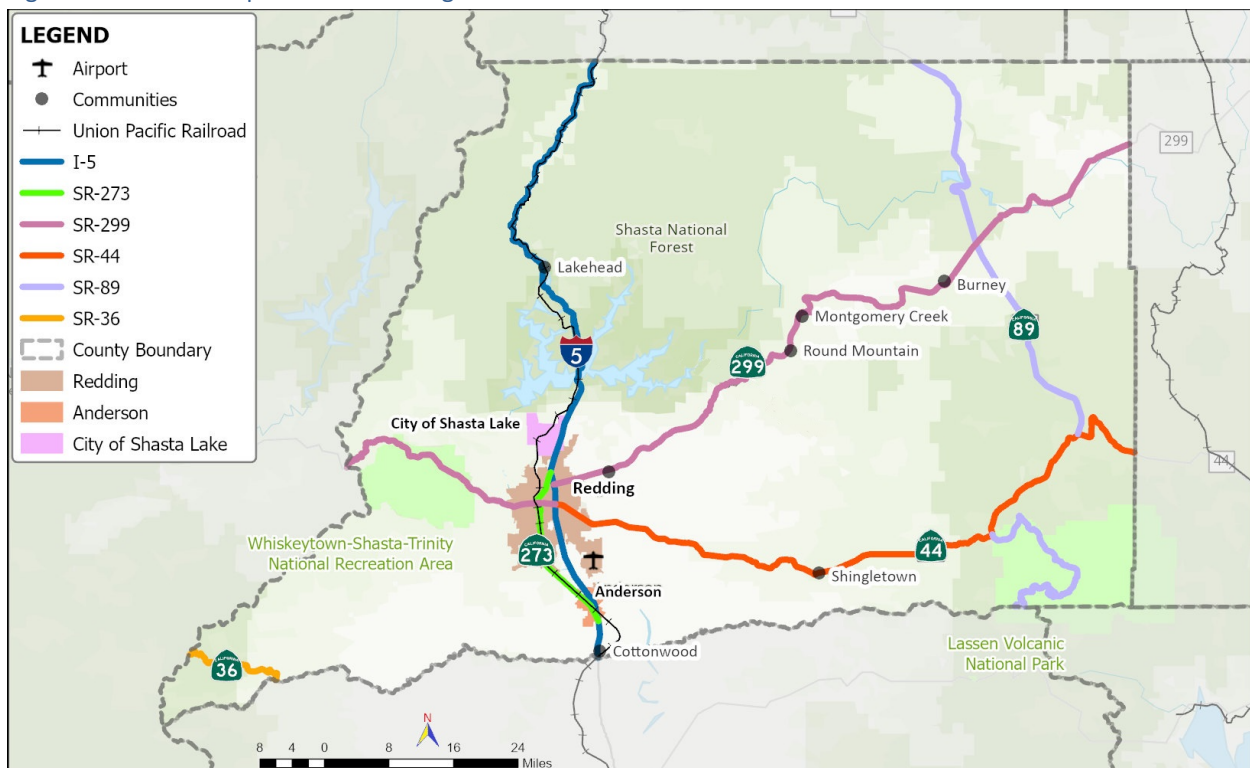
Caltrans, District 2
City of Anderson
City of Redding
City of Shasta Lake
County of Shasta
Redding Area Bus Authority (RABA)
Dignity Health Connected Living (DHCL)
Healthy Shasta
North State Super Region (NSSR)
Pit River Tribe
Redding Rancheria (Yana, Wintu, Pit River)

Along with the primary I-5 corridor, state highways in the county include State Routes (SRs) 36, 44, 89, 151, 273 and 299.

Geographic elevations range from 425 feet on the valley floor to over 10,000 feet in Lassen Volcanic National Park. The region is surrounded by mountains to the west, north, and east. The Sacramento River flows through the center of the county and down the Sacramento Valley to the south. These attributes have contributed to the region's establishment as a center for recreation and tourism.

Figure 1 shows the topography and state highway/interstate layout of Shasta County.

Figure 1 – General Map of the Shasta Region



Travel Demand Modeling in the Shasta Region

SRTA develops and maintains [ShastaSIM](#), the regional travel demand model which forecasts land use and corresponding travel behavior at least 20 years into the future for the Shasta County region. ShastaSIM is an advanced activity-based tour model that simulates the travel behavior of all residents in Shasta County over the course of a typical 24-hour weekday. These travel activities are represented as a series of "trip-legs" or "tours" connecting activities each person engages in, such as going to work, shopping, or attending school. The county population is represented by a "synthetic population" which is based on socio-demographic data collected by the US Census. The model was developed by and is currently maintained with the assistance of DKS Associates.

Project Background

Corridor History

The State Route 273 (SR 273) corridor has served a variety of purposes and functions over the decades. Its use likely predates the California Gold Rush, and it has served all modes of travel from walking to electric vehicles and everything in-between. In the past, the route has been known as “the road to [Pierson B.] Reading’s Diggings,” the Redding-Anderson Road, the Pacific Highway, and Highway 99 before being redesignated as SR 273 following the regional completion of Interstate 5.

When first integrated into the state highway system in the early decades of the 20th century, the corridor was almost entirely rural, connecting small, compact communities. As auto-oriented development boomed regionally during the construction of Shasta Dam and the postwar years of the 20th century, growth sprung up along the highway, much of it catering to auto-oriented uses such as motels, service stations, and auto repair. This “ribbon growth” or “stringtown effect” was identified as a planning concern as early as 1947, but a significant portion of the once rural and unincorporated corridor is now located within the urbanized city limits of Redding.

Today the 16.2-mile corridor extends through and connects the Shasta Region’s two largest incorporated cities (i.e., Redding and Anderson) and as well as numerous smaller outlying communities to the county seat of Redding. SR 273 has an Average Annual Daily Traffic (AADT) of over 20,000 at some intersections, while other areas still have considerable excess capacity. And because the Union Pacific Railroad (UPRR) parallels SR 273, it also serves as the region’s primary industrial corridor.

Challenges, Issues, and Constraints

As a result of these great changes over the years, the SR 273 corridor is easily the region’s most complex corridor, containing numerous critical challenges that need to be addressed holistically.

The design of SR 273 varies throughout the corridor, from one-way couplets in Downtown Redding to a divided highway with periodic frontage roads in the southern portion. The project area presents numerous challenges, constraints, and opportunities, including a crossing of the Sacramento River, the largest river in California; Clear Creek (a major tributary); the Anderson-Cottonwood Irrigation District (ACID) Canal, and numerous smaller waterways. It also includes interchanges with Highways 299 and 44 as well as Interstate 5, and a space-constrained undercrossing of the Union Pacific mainline, which flanks SR 273 for roughly 9.5 miles.

The project area includes incredibly disadvantaged census tracts, most notably Downtown Redding (FIPS 06089010100), which scores in the 1.9 Percentile on the [California Healthy Places Index](#) (HPI). The tract’s very low HPI Policy Action Areas percentile scores include: Economic (0.2), Transportation (2.2), and Clean Air - Diesel PM (37.7). The median HPI percentile scores for all census tracts in the project area are 27.2 for Transportation and 30.3 for Economic—even when including the comparatively wealthier tracts that only slightly adjoin it.

Unfortunately, the SR 273 corridor is also the location of a disproportionate number of the region's bicycle and pedestrian collisions. According to the Transportation Injury Mapping System (TIMS) at UC Berkeley, there have been 61 collisions involving pedestrians and 31 involving cyclists along the entire SR 273 corridor in the five-year period between 2013 and 2018. That represents 20% of pedestrian collisions and 11.8% of bicycle collisions in the entire Shasta Region. The majority of those (67.2% and 75.6%, respectively) occurred in the northern half of the corridor—eight of them fatal.

Opportunities

The good news is that these great challenges present great opportunities. Simply put, the SR 273 Multimodal Corridor Plan is the region's greatest opportunity to reduce the number of transportation-related injuries and deaths. Improved safety, combined with the proximity of housing and civic/regional destinations, should remove barriers to mode shift in alignment with Sustainable Transportation Planning Grant Objectives and SRTA's Regional Transportation Plan (RTP) and Sustainable Communities Strategies (SCS).

SR 273 runs through the heart of Downtown Redding, which has seen over \$200 million in public and private investment in recent years, as well as over 200 new residents within the radius of just a few blocks—most of them in affordable housing in new mixed-use buildings—and more on the way. The 2016 Downtown Redding Transportation Plan identified two concepts involving SR 273 worthy of additional study: a reversion of one-way streets to two-way streets and the installation of a traffic circle at the intersection of Market Street, Pine Street, and Cypress Avenue (see Figure 2).

Notable civic/regional destinations in or immediately adjacent to the corridor include: three city parks, a major regional hospital, shopping centers, a federally-recognized rancheria and tribal casino, grocery stores, two public libraries, the city halls of Redding and Anderson, the Shasta College Health Science Campus, Downtown Redding, Downtown Anderson, and two funded Affordable Housing and Sustainable Community (AHSC) projects (one completed in 2020 and another currently under construction).

There are numerous recent, ongoing, and future planning efforts that involve the corridor in some respect: The 2016 Downtown Redding Transportation Plan, SRTA's GoShasta Active Transportation Plan, the City of Redding Active Transportation Plan, the Caltrans District 2 Active Transportation Plan, the ResilientShasta Extreme Climate Event Mobility and Adaption Plan, and updates to the Downtown Redding Specific Plan and the City of Redding General Plan. This is a rare opportunity to bring them all into alignment and produce a comprehensive multimodal

Figure 2



A view of the complex intersection of SR 273 and Cypress Avenue, largely unchanged from when Cypress Avenue served as Highway 44 and SR 273 served as Highway 99, the primary north-south corridor on the west coast.

corridor plan for SR 273 that will produce a safer, more resilient, and more accessible corridor that supports vibrant communities and improves public and environmental health.

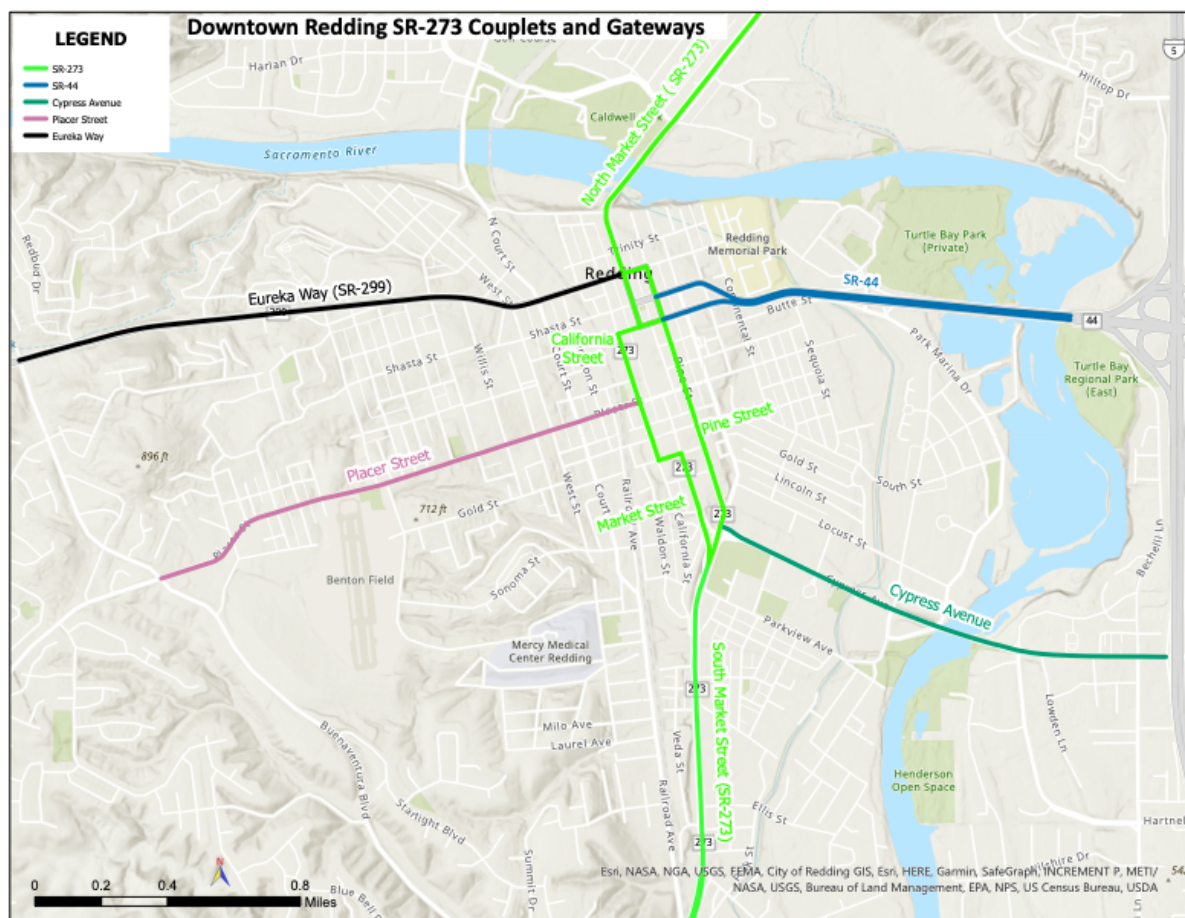
SRTA has established [a project page for the SR 273 Multimodal Corridor Plan](#) with links to additional information for further reading.

Study Area

The SR 273 Multimodal Corridor Plan will study the entirety of the SR 273 corridor from its northern terminus with Interstate 5 in the city of Redding (PM 20.03, approximately) to its southern terminus with I-5 in the city of Anderson (PM 3.81, approximately). All intersections should be considered part of the study area, as well as adjacent frontage roads (e.g., Westside Road (Redding), Eastside Road (Redding), W. Center Street (Anderson), E. Center Street (Anderson), and others).

Additionally, this effort will evaluate the primary gateways to Downtown Redding (Figure 2).

Figure 2 – Downtown Redding SR 273 Couplets and Gateways



Viewed and planned for collectively, this network should meet future travel demand in and out of the downtown area while also supporting/facilitating local, regional, and state goals,

particularly the ongoing development of a vibrant, walkable downtown. Evaluation of these gateways should consider a potential reversion of the one-way couplets to two-way streets. The following gateway corridors serve Downtown Redding and connect to SR 273:

- SR 299 / Eureka Way from Buenaventura Boulevard to SR 273
- SR 273 / North Market Street
- SR 273 / South Market Street
- Cypress Avenue from Interstate 5 to SR 273
- Placer Street from Buenaventura Boulevard to SR 273
- SR 44 the from Interstate 5 / Hilltop Drive interchange to SR 273.

A special emphasis will be on SR 44 and the Sundial Bridge Drive / Butte Street / Park Marina Drive interchange, as it relates to existing concerns and recent interest in the development/redevelopment of the area. For example, it has been noted that SR 44 essentially isolates the Turtle Bay, Park Marina, and Downtown Redding neighborhoods from each other. All possibilities should be considered and evaluated, up to and including a “[Highways to Boulevards](#)” treatment.

Additional areas of special concern include:

- The Union Pacific Railroad undercrossing in South Redding
- The Breslauer Way intersection in South Redding
- Downtown Anderson between the intersections of North and South Streets

Overall Project Objectives

- Enhance multimodal safety, accessibility, and connectivity along the corridor.
- Identify traffic operation issues and solutions for both vehicles and freight/trucks to reduce delay and increase reliability.
- Improve conditions for disadvantaged communities by better understanding neighborhood-specific challenges and developing corresponding targeted strategies.
- Improve compatibility between corridor design and current/future adjacent land-use.
- Leverage and enhance existing government-to-government relationships through close collaboration and partnership to ensure alignment of all corridor-related planning and implementation efforts.
- Eliminate barriers to modal shift in alignment with the Regional Transportation Plan and Sustainable Communities Strategies.
- Incorporate recommendations from the ResilientShasta Extreme Climate Event Mobility and Adaption Plan (expected completion: Winter 2021/22).
- Build off previous efforts to identify and address deficiencies in the corridor such as outreach for the SR 273 Multimodal Plan (2017) and the 2016 Downtown Redding Transportation Plan.
- Develop packaged sets of multimodal projects that are strategically designed to reinforce one another and achieve progress across multiple corridor performance goals.
- Preliminary design of high-priority projects needed to compete for state and federal capital grant funds.

About Your Proposal

Project Scope of Work

SRTA is seeking a qualified consultant to prepare the SR 273 Multimodal Corridor Plan. As this planning effort is a Strategic Partnership between SRTA and Caltrans District 2, this scope of work has been heavily informed by the [February 2020 Caltrans Corridor Planning Process Guide \(CCPPG\)](#). Please refer to that document to help inform your approach.

At a minimum, submitted proposals must include the tasks outlined in Attachment A. SRTA welcomes additional suggestions and innovative approaches to help achieve a transformative multimodal corridor plan. The planning effort will be comprehensive and consider all uses of the corridor, including active transportation, freight, transit, and emergencies. It should be emphasized that this effort aims to take a comprehensive and fresh look at the entire corridor, but there are also expected to be areas of particular and special interest that may require more time and resources than other areas (see Tasks 6.2 through 6.5 in Attachment A).

Due to the significance of the SR 273 corridor and its various interchanges with other corridors in the region, we anticipate a relatively high level of interest in the planning effort; but on the other hand, it may be challenging to adequately engage certain stakeholders that may feel “planned out” or wary of outside consultants and/or government. The public input collected will help inform each task, as well as future project development and funding recommendations, so it is of utmost importance that the outreach should engage a broad and representative swath of the public. Due to the uncertainties and changing conditions of the ongoing COVID pandemic, the consultant should build flexibility into the public outreach effort, including virtual workshops and other strategies.

Additionally, SRTA’s local partners are extremely resource constrained and will likely have limited capacity to participate. The consultant should anticipate doing direct outreach to the partner agencies to hear and understand their concerns. The consultant should also expect to perform several in-person site visits to fully experience and understand the corridor’s challenges—Google Streetview is not an adequate substitute.

The timeline may also be subject to change if mutually agreed-upon in writing.

Project Schedule/Timeline

An anticipated/estimated project schedule is provided at the end of this document as Attachment B.

Proposal Contents

Written proposals shall not exceed 35 pages (excluding attachments). At a minimum, the following information should be included and clearly labeled:

1. Transmittal letter--signed by an officer who may contractually bind the business, with a description of the firm containing the firm name, firm address, firm’s status as a DBE or

non-DBE, age of the firm, NAICS code, and annual gross receipts (may be a range). The proposal shall be a firm offer for a minimum of 90 days and contain a statement to that effect. The proposal shall contain a statement that all activities performed within the proposed scope of work will be performed at a not-to-exceed price.

2. Statement of understanding of the scope of work that illustrates the consultant's familiarity with comprehensive corridor planning, state and regional goals, and a discussion of a technical approach and management approach.
3. List of the personnel on the project team, including a summary of their qualifications and work experience (resumes may be included as an attachment). This includes sub-consultants proposed for use.
4. Representative list of similar projects completed within the last five years including: project description and services provided, budget and schedule performance, and contact information for the client reference.
5. Work plan and schedule to complete the project scope of work identifying milestones and deliverables.
6. Cost proposal worksheet, including: fee schedule on a time (by personnel) and materials basis; cost by task; and total cost to complete the project. The cost proposal shall be fully inclusive of all services, overhead, and direct expenses.
7. How the respondent heard of the procurement.

Pre-Proposal Conference

A pre-proposal conference will be held via Zoom on February 16, 2022 at 1 p.m. PST. Please indicate your interest in the pre-proposal conference by email to srta@srta.ca.gov. The conference will be recorded and may be posted to the SRTA website afterwards. By attending the conference, you are consenting to being recorded. Questions asked during the conference may be responded to during the conference or via written collective response on the SRTA website by the deadline below.

Addenda and Questions About This RFP

Interested applicants must subscribe to SRTA's bid posting webpage at <http://www.srta.ca.gov/bids.aspx> so that they are notified of any addenda to the RFP or responses to questions received. All questions regarding this RFP will be responded to collectively and made available for all interested applicants via the bid posting webpage on SRTA's website.

Questions may be submitted via email to srta@srta.ca.gov in advance of the pre-proposal conference to be addressed by SRTA staff during the meeting. After the pre-proposal conference, questions will continue to be taken via email from prospective vendors until 3:00 p.m. (PST) on

Monday, February 14, 2022. All responses to questions will be posted on the [SRTA website](#) no later than February 25.

Procurement Schedule

The anticipated procurement schedule is shown below in Table 1. Firm deadlines are shown in bold text.

Table 1 – Procurement Schedule

Tasks	Deadline
Release RFP	January 28, 2022
Interested Vendor Questions Due	3:00 p.m. PST, February 14, 2022
Pre-Proposal Conference	February 16, 2022
SRTA Response to Vendor Questions	No later than February 25
Vendor Proposals Due	3:00 p.m. PDT, March 14, 2022 (no postmarks accepted)
Evaluation and Ranking of Proposals	March 14–28, 2022
Interviews (if necessary)	March 22–28, 2022
Consultant-SRTA contract negotiation, including budget and scope of work	March 28 – April 11, 2022
SRTA Board of Directors Approval	April 28, 2022
Contract Start	May 1, 2022

Proposal Submittal

Please submit consultant proposals via email, USPS, or delivery to:

Shasta Regional Transportation Agency
Attn: Michael Kuker
1255 East Street, Suite 202
Redding, CA 96001
srta@srta.ca.gov

Proposal submittals must be received at the SRTA office before 3:00 p.m. PDT on March 14, 2022. No proposals will be accepted after this time. **Postmarks are not acceptable.** If proposer is submitting hard copies, please include a PDF version (either on a flash drive or sent separately via email). Proposal receipt will be acknowledged by email.

The cost of preparing and submitting a proposal, pre-contract meetings, and participating in an interview—if held—are at the sole expense of the proposer. SRTA reserves the right to reject any or all proposals, and to waive any informality, technical defect, or clerical error in any proposal at SRTA’s discretion. Solicitation of proposals in no way obligates SRTA to contract with any firm or individual. The decision to approve and award a contract is at the discretion of SRTA.

Proposal Evaluation

A panel will be formed to evaluate the proposals via consensus scoring and make a recommendation in consultation with the executive director, which will then go to the SRTA Board of Directors for approval. The proposal evaluation will be based on the scoring criteria presented in Table 2.

Table 2 – Proposal Scoring Criteria

Criteria	Maximum Possible Points
Thoroughness of proposal at addressing the project's scope of work and the project's overarching objectives	20
Qualifications and similar experience of the consulting firm and project team, including sub-consultants	20
Cost and value of services to be provided	20
Examples of innovative and/or transformational ideas to meet project objectives	10
Ability to develop high-quality renderings and/or design work for outreach efforts and future grant applications	10
Ability of consultant to conduct the necessary effective public outreach component of the project	5
DBE participation level	5

In circumstances where a recommendation cannot be made based on the proposals alone, the highest ranked consultants may be invited to an interview where they may give a brief presentation of no more than 15 minutes followed by up to 15 minutes of Q&A. SRTA will evaluate the interview using the criteria presented below in Table 3, and the interview score will then be added to the proposal score above to determine the final ranking. The evaluation panel will then make a recommendation based upon the final cumulative ranking in consultation with the executive director, which will go to the board of directors for approval.

Table 3 – Interview Scoring Criteria (if conducted)

Criteria	Maximum Possible Points
Quality of consultant's presentation (content and visuals)	20
Quality of responses to interview questions	20
Qualifications and experience of the consultant team	10

Contract Award

The anticipated start date is May 1, 2022, with a May 30, 2025 contract expiration. Consultant selection will be based on a combination of funding availability and the value of the services to be provided. The contract may be subject to extension, if agreed-upon in advance and in writing by both parties.

Barring any delays (i.e., the need for a budget amendment, extension of the RFP response date, etc.), the SRTA Executive Director will schedule the proposed technical services agreement for consideration by the SRTA Board of Directors on April 28, 2022. The agreement is not in force until approved by the SRTA Board of Directors and written authorization to proceed is provided to the selected consultant.

Options

SRTA intends to contract for an initial term of three years but reserves the option to extend the contract annually for up to an additional two years beyond the initial three-year period, provided there is no change to the maximum contracted compensation. Such extensions would not be automatic and would be entered into writing by both parties before becoming effective.

Additional Information and Terms

Standard Consulting Agreement

SRTA's standard Technical Services Agreement (TSA) will be used for the agreement between SRTA and the selected consultant. SRTA's TSA template is provided by separate attachment (Attachment C) to the RFP distribution.

Protest Procedure

All protests will follow the SRTA protest procedures for procurements as delineated in the appendix.

Debriefing

SRTA will provide an informal debriefing to interested consultants not selected for this contract upon request once a final contract has been negotiated and executed.

Public Records Act

All proposals submitted in response to the RFP will become the exclusive property of SRTA. At such time as a contract is executed, all bids and proposals related to that contract become a matter of public record and will be regarded as public records and subject to the Public Records Act (Gov. Code Section 6254 et. seq.).

If consultant feels that any information in their proposal is “proprietary” in nature, then consultant must provide a second proposal (clearly labeled) with that information removed, which would be shared in the event of any Public Records Act request. Otherwise, their submitted proposal will be provided in the event of a Public Records Act request and consultant, by submitting a proposal to this RFP, waives any claims against and hold SRTA harmless for the release of their proposal.

In the event of litigation concerning the disclosure of any records, SRTA’s sole involvement will be as a stakeholder, retaining the records until otherwise ordered by a court. The proposer, at its sole expense and risk, shall be fully responsible for any, and all, fees for prosecuting or defending any action concerning the records and shall indemnify and hold SRTA harmless from all costs and expenses, including attorney’s fees, in connection with, any such action.

Modification or Withdrawal of Proposal

Any proposal received prior to the deadline may be withdrawn or modified either personally, through e-mail, or by written request of the consultant. To be considered, the modification must be received in writing (email acceptable) prior to the deadline. Proposals may be withdrawn following the proposal deadline for good cause; please consult with the RFP contact person to discuss this.

RFP Addendum or Addenda

Any changes to the RFP will be made by written addenda issued by SRTA and shall be considered part of the RFP. The RFP deadline may be extended dependent upon the nature of the changes issued. Upon issuance, such addenda shall be incorporated into the agreement documents, and shall prevail over inconsistent provisions of earlier issued documentation. Any addenda will be posted on-line only. It will be the consultant’s responsibility to assure that all addenda are incorporated into the proposal as required according to all the terms and conditions for submittal of the proposal. In no event will SRTA modify the RFP with less than five (5) days remaining to the deadline, without extending the RFP deadline.

Verbal Agreement or Conversation

No prior, current, or post-award verbal conversations or agreement(s) with any officer, agent, or employee of SRTA shall affect or modify any terms or obligations of this RFP, or any contract resulting from this procurement.

Special Funding Considerations

Any contract resulting from this RFP will be financed with funds available to SRTA. The contract for this service is contingent upon the provision of these funds to SRTA. In the event these funds are reduced or eliminated, SRTA reserves the right to terminate or revise any contract.

DBE Requirement

SRTA has determined that disadvantaged business enterprises, as defined in 49 CFR Part 26, will have the opportunity to compete fairly for contracts financed, in whole or in part, with federal funds. For this procurement, SRTA has a disadvantaged business enterprise (DBE) goal of 17.6%. SRTA encourages respondents to include the participation of DBE businesses within your proposal.

Equal Employment Opportunity/Affirmative Action

In awarding a contract to a consultant, SRTA includes language within the contract which requires the consultant to certify their compliance with federal regulations.

PROTEST PROCEDURES FOR PROCUREMENTS

I. PROTESTS

The following procedures shall be used by Shasta Regional Transportation Agency (SRTA) to fairly and promptly respond to any protests received regarding third-party contracts or the contracting process. SRTA will consider all protests or objections regarding the contracting process or the award of an Agreement received by SRTA by 4 p.m. on the deadlines discussed below. SRTA will review only protests submitted by an actual or prospective Proposer. Protests by prospective subcontractors will be rejected. A protest by any adversely affected Proposer must be made in writing and must be mailed or hand delivered to SRTA. A protest which does not strictly comply with the SRTA protest procedures will be rejected.

A. Protests Before Bid/Proposal Opening

Protests relating to the content of the solicitation (i.e., RFP, IFB, RFQ), including protests related to DBE/UDBE requirements, must be filed within five (5) business days after the date the solicitation or addendum with the revised content is released to the public by SRTA. Failure to file a protest concerning the content of the solicitation or addendum prior to this deadline constitutes a waiver of any protest on these grounds.

B. Protests Related to Determination of Responsiveness

In the event the RFP contains a DBE/UDBE goal and SRTA makes a determination that Proposer has not met the goal or good faith effort requirements set forth in this RFP, SRTA will send the Proposer a Notice of Non-Responsiveness. Protests relating to any Notice of Non-Responsiveness must be filed within five (5) business days after the date of such notice. Failure to file a protest concerning the non-responsiveness determination prior to this deadline constitutes a waiver of any protest on these grounds and SRTA shall not be obligated to send Proposer any further notices.

C. Protests After Bid/Proposal Due Date

After Proposers are shortlisted and/or selected for negotiations, notices will be sent to all relevant Proposers. Protests relating to failure to make the shortlist must be filed within five (5) business days following protester's receipt of a notice regarding the shortlisting. Protests relating to the intent to make an award must be filed within five (5) business days following protester's receipt of the notice regarding the intent to negotiate. The date of filing shall be the date SRTA receives the protest. Untimely protests will be rejected. If deemed necessary, SRTA shall notify all Proposers of record that a protest has been filed and the award has been postponed until further notice. If necessary, Proposers will be asked to extend the time for acceptance of their proposal in order to avoid the need for readvertisement of the solicitation.

D. Protest Contents

A letter of protest must set forth detailed grounds for the protest and be fully supported with technical data, documentary evidence, names of witnesses, and other pertinent information related to the subject being protested. The protest also must state the law, rule, regulation, or policy upon which the protest is based. Protests concerning the relative weight of the evaluation criteria or the formula used in assigning points to make an award determination will be rejected. The protester must allege or establish a clear violation of a specific law, rule, regulation, or policy. If the protester considers that the protest contains proprietary material that should be withheld, a statement advising of this fact must be affixed to the front page of the protest document, and alleged proprietary information shall be so identified wherever it appears. Protests shall be mailed to:

The Protest Administrator

Reference: SRTA Contract Solicitation No. S-00007

E. Role Of The Protest Administrator

If a protest raises solely a question of law, the Executive Director shall retain the services of SRTA Legal Counsel to serve as the Protest Committee. SRTA Legal Counsel will prepare a recommendation regarding the protest, in writing, to the SRTA Executive Director within ten (10) business days.

The Protest Administrator shall review each protest to determine if it is in compliance with the deadline, format, content, and notice requirements set forth in this Section. If a protest does not meet such requirements it may be rejected without further consideration. A written notice of such rejection shall be sent to the protester.

If the protest requires resolution of questions of fact, the Protest Administrator, his/her designee will appoint individuals to participate on a Protest Committee. The Protest Administrator will endeavor to appoint at least one of the Protest Committee members from an outside agency, and no one may sit on the Protest Committee that has a known and direct connection to the procurement that is the subject of the protest. The Protest Administrator also will appoint a chairperson for the Protest Committee. The Protest Administrator will gather the documents that the Protest Committee will need for its investigation and prepare a memo to the Protest Committee containing background information regarding the protest. Any communication regarding the protest between the protester and SRTA shall be through the Protest Administrator during the protest proceedings. Protesters may not contact anyone at SRTA other than the Protest Administrator. Protest Committee

The Protest Committee shall ensure the protest was received within the timeline specified and review the protest to determine if it itemizes in appropriate detail each matter contested as well as any factual reason(s) for the requested protest. The Committee chairperson shall schedule the date of the Protest Committee meeting, contact the Committee panel members, and distribute all protest documentation.

F. Reply To Protest

The Protest Committee will review all qualifying protests in a timely manner and may hold an informal hearing if deemed necessary in order to complete its investigation. The Protest Committee will prepare a recommendation regarding the protest, in writing, to SRTA's Executive Director within ten (10) business days of the date of receipt of the protest. All materials included with the original protest at time of submittal will be considered. Supplemental materials filed by a protester after the protest deadline will not be considered unless there are extenuating circumstances in the opinion of the Protest Committee. Protest documents will not be withheld from any interested party outside of SRTA, with the exception that information will be withheld when required by law or regulation. The Executive Director or his/her designee will either sustain or reject the protest in writing based upon the recommendation of the Protest Committee and the best interests of SRTA. This decision will be communicated in writing to the protestor and/or the party whose proposal is the subject of the protest and delivered by email or overnight delivery.

G. Results Of The Protest

If the protest relating to a contract award is sustained, the original Notice of Intent to Award may be withdrawn after the deadline for protest reconsideration has passed. SRTA then may issue a new Notice of Intent to Award to a different bidder/Proposer and a new protest period will commence using the same timelines discussed above. If the protest is rejected, the original Notice of Intent to Award will stand and SRTA will continue with contract negotiations with the awardee.

H. Federal Transit Administration Requirements Not Applicable in the absence of FTA Funding

1. FTA Review of Protests

- a. In the case of contracts funded by the FTA, the FTA will review only protests regarding the alleged failure of SRTA to have written protest procedures or alleged failure to follow such procedures.
- b. Alleged violations on other grounds are under the jurisdiction of the appropriate state or local administrative or judicial authorities. Alleged violations of a specific federal requirement that provides an applicable complaint procedure shall be submitted and processed in accordance with that federal regulation. See Buy America Requirements, 49 C.F.R. 661.15; Participation by Minority Business Enterprise in DOT Programs, 49 C.F.R. 26.
- c. The FTA will review only protests submitted by an interested party defined as an actual or prospective bidder or Proposer whose direct economic interest would be affected by the award of the contract or by failure to award the contract in accordance with FTA Circular 4220.1F. A subcontractor does not qualify as an "interested party." (See FTA Circular 4220.1E, Chapter VII, Section I (1)(c))."

2. Time for Filing

- a. Protesters shall file a protest with the FTA not later than five (5) business days after a final decision is rendered under the SRTA protest procedure. A copy of any protest documents filed with the FTA must be provided concurrently to SRTA. In instances where the protester alleges that SRTA failed to make a final determination on the protest, protesters shall file a protest with the FTA not later than five (5) business days

after the protester knew or should have known of the failure of SRTA to render a final determination on the protest.

- b. SRTA shall not award a contract for five (5) business days following its decision on a bid protest except in accordance with the provisions and limitations of subparagraph 6. After five (5) business days, SRTA shall confirm with the FTA that the FTA has not received a protest on the contract in question.

3. Submission of Protest to the FTA

- a. The protester must exhaust its administrative remedies by pursuing the recipient's protest procedures to completion before appealing the recipient's decision to the FTA. (FTA Circular 4220.1F, Page VII-3, November 1, 2008).
- b. Protests should be filed with the FTA Region 9 office and a copy must be sent to SRTA by the protester.
- c. The protest filed with the FTA shall:
 - Include name and address of protester
 - Identify SRTA as the grantee, the SRTA Contract Administrator, and number of the contract solicitation
 - Contain a statement of the grounds for protest and any supporting documentation. This should detail the alleged failure to follow protest procedures or the alleged failure to have procedures and be fully supported to the extent possible
 - Include a copy of the local protest filed with SRTA and a copy of the SRTA decision, if any

4. SRTA Response

- a. The FTA shall notify SRTA in a timely manner of receipt of a protest.
- b. SRTA shall submit the following information not later than ten (10) business days after receipt of notification by the FTA of the protest:
 - a copy of SRTA's protest procedure
 - a description of the process followed concerning the protester's protest
 - any supporting documentation
- c. SRTA shall provide protester with a copy of the above submission.

5. Protester Comments

The protester must submit any comments on the SRTA submission not later than ten (10) business days after the protester's receipt of the SRTA submission.

6. *Withholding of Award*

When a protest has been timely filed with SRTA before award, SRTA shall not make an award prior to five (5) business days after the resolution of the protest, or if a protest has been filed with the FTA, during the pendency of that protest, unless SRTA determines that:

- a. The items to be procured are urgently required;
- b. Delivery or performance will be unduly delayed by failure to make the award promptly;
or
- c. Failure to make prompt award will otherwise cause undue harm to SRTA or the federal government.

The FTA reserves the right not to participate in the funding of any contract awarded during the pendency of a protest.

7. FTA Action

Upon receipt of the submissions, the FTA will either request further information or a conference among the parties, or will render a decision on the protest.